

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Worldcall Interconnect, Inc.	)	Proceeding No. 14-221
a/k/a Evolve Broadband,	)	Bureau ID No. EB-14-MD-011
	)	
Complainant,	)	
	)	
v.	)	
	)	
AT&T Mobility LLC,	)	
	)	
Defendant.	)	

**ORDER**

**Adopted: September 21, 2016**

**Released: September 22, 2016**

By the Chief, Market Disputes Resolution Division, Enforcement Bureau:

1. On April 14, 2016, the Division issued an *Interim Order*<sup>1</sup> denying portions of the formal complaint by Worldcall Interconnect, Inc. (WCX) against AT&T Mobility LLC (AT&T).<sup>2</sup> The *Interim Order* addressed two key disputed issues: (a) the scope of AT&T's obligation to offer data roaming; and (b) the reasonableness of AT&T's proposed data roaming rates. The *Interim Order* concluded that AT&T is not obligated to offer data roaming to WCX in all areas that WCX had requested, and that WCX had not demonstrated that AT&T's proposed data roaming rates are commercially unreasonable.<sup>3</sup>

2. The *Interim Order* directed the parties to resume negotiating a roaming agreement and to report to Commission staff on the progress of their negotiations.<sup>4</sup> On August 22, 2016, the parties reported that they had "executed a roaming agreement, which resolves the remaining issues consistent with the *Interim Order*."<sup>5</sup> The parties indicated that they entered into a roaming agreement with the expectation that the rulings in the *Interim Order* would be included in a dispositive order to enable a party

<sup>1</sup> *Worldcall Interconnect v. AT&T Mobility*, EB-14-MD-011, DA 16-396, Order (EB Apr. 14, 2016) (*Interim Order*). At Worldcall's request, we also issued a letter ruling clarifying certain aspects of the *Interim Order*. *Worldcall Interconnect v. AT&T Mobility*, EB-14-MD-011, Letter Order (EB June 22, 2016).

<sup>2</sup> WCX filed its original complaint on September 8, 2014, and filed amended complaints on October 1 and November 6, 2014. See Second Amended Complaint, EB-14-MD-011 (Nov. 6, 2014). On November 5, 2014, AT&T answered the October 1<sup>st</sup> complaint and, in doing so, anticipated amendments that WCX had agreed to incorporate into the Complaint that is now before us. See Answer of AT&T Mobility, EB-14-MD-011 at 1 n.1 & Tab 1 (Nov. 5, 2014). On November 21, 2014, WCX filed its reply. See Reply of Worldcall Interconnect, Inc., EB-14-MD-011 (Nov. 21, 2014). On July 15, 2015, the parties also exchanged best and final offers setting forth the terms under which each party was willing to enter into a roaming arrangement.

<sup>3</sup> *Interim Order* at 6–15, paras. 12–28.

<sup>4</sup> *Id.* at 15, para. 29.

<sup>5</sup> Sixth Joint Status Report, EB-14-MD-011, at 1 (Aug. 22, 2016). The parties previously filed joint status reports on June 14, July 1, July 8, July 22, and July 29, 2016.

to seek administrative reconsideration or review of those rulings. Because it is in the public interest to facilitate negotiated resolution of roaming disputes and to encourage parties to enter into roaming agreements, we conclude that the public interest will be served by issuing this Order. We therefore incorporate into this Order and adopt, in their entirety, the rulings set forth in the *Interim Order*. Accordingly, we deny WCX's complaint as to these two issues. In light of the parties' negotiated resolution of all remaining issues, we dismiss the remainder of the complaint.

3. Accordingly, IT IS ORDERED, pursuant to the authority contained in Sections 4(i), 4(j), 208, 301, 303, 304, 309, 316, and 332 of the Communications Act, 47 U.S.C. §§ 154(i), 154(j), 208, 301, 303, 304, 309, 316, and 332, and Sections 0.111(a)(11), 0.311, 1.720-1.735, and 20.12 of the Commission's rules, 47 CFR §§ 0.111(a)(11), 0.311, 1.720-1.735, and 20.12, that WCX's complaint is DENIED to the extent set forth in this Order and in the *Interim Order*, and is otherwise DISMISSED.

FEDERAL COMMUNICATIONS COMMISSION

Christopher Killion  
Chief, Market Disputes Resolution Division  
Enforcement Bureau